

# Demanding for Higher Standards to Safeguard Laboratory Animal Rights in Sri Lanka, A Legal Analysis

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**Abstract** - The country of Sri Lanka is one where the society we lived in upholds human rights as a matter of national policy. However, the legal framework does not emphasize animal rights. This study, which will pay special focus to the welfare rights of laboratory animals, will examine the significance and pressing requirement of enacting strong regulations to protect those rights, with particular attention paid to Sri Lanka's usage of laboratory animals. Since the 1960s, Sri Lanka has used laboratory animals for research and medical education, mostly utilizing about 2000–3000 mice, rats, Guinea pigs, rabbits, and zebra fish annually, however, the laws have not changed over time. On a global scale, nations have taken major steps to protect the rights of laboratory animals, whereas Sri Lanka is still trailing behind. This study aims to examine common gaps in ethical guidelines regarding the use of laboratory animals' rights. Legislative provisions and regulations are employed as primary data in this study, and scholarly articles, newspaper articles, and academic critiques are used as secondary data. The researcher depends on the qualitative technique. Higher legal standards have been enacted in relation to the rights of laboratory animals in nations like the UK, the USA, and India. As a result of this detailed inspection, the researcher suggests that Sri Lanka develop separate legislation to safeguard the rights of laboratory animals.

## I. INTRODUCTION

Assuring the welfare of non-human animals is the sole objective of animal welfare, including all factors such as appropriate housing, management, disease prevention and treatment, responsible care, and humane handling. As the most intellectual species on Earth, humans have a responsibility to safeguard the welfare of all other living forms in order to uphold liberty, justice, and equality for all. Animal research is an integral part of scientific and medical advancements all around the world. Nevertheless, there are additional ways in which the use of animals in scientific and medical research poses a harm to non-human creatures. Regardless of its goal or benefit, animal testing is viewed as cruel and needless by both animal rights extremists and anti-vivisectionist organizations. The aim of animal welfare is nothing else except to Animals have been employed in Sri Lankan laboratories since 1960 and for medical education since 1950. Despite the fact that animals have been employed for a variety of scientific experiments in laboratories, they have not had appropriate legal protection to ensure at least the bare minimum of their rights or welfare concerns. to Prevention of Cruelty Animals Ordinance, No 13 of 1907 is now inadequate, thus the Animal Welfare Bill of Sri Lanka has not been passed as a law. Internationally, countries have taken significant steps to safeguard the rights of animals, with an emphasis on laboratory animals, but Sri Lanka is still lagging even in the absence of an updated measure of legislation to speak up for the voiceless. In addressing the aforementioned, this research will

be based on the animal cruelty and ignorance of animal welfare issues prevalent in Sri Lanka due to the lack of proper legislation to take actions, giving special attention to the context of laboratory animals. The researcher will stay on focusing the following objectives through this research; to identify different types of cruelties that happen to animals used in laboratory use, to analyse prevalent law and regulations relating to scientific animals, to synthesise international law relating to safeguard of scientific animal welfare and to recommend justice to laboratory animals through a new legislation.

## II. MATERIALS AND METHODS

The researcher used qualitative approaches to conduct this study, gathering combining primary and secondary data. While analyzing and critically evaluating those sources the researcher will fulfill research objectives. The primary sources used are the Prevention of Cruelty to Animals Ordinance No.13 of 1907 in Sri Lanka, the statutes of the UK, USA, and India. It describes regulations pertaining to the care of animals, particularly experimental animals. Scholarly articles, and journal articles have been used as secondary sources of this research.

## III. RESULTS AND DISCUSSIONS

Prevention of Cruelty to Animals Ordinance No.13 of 1907 is considered as the prevalent law in Sri Lanka relating to Animals Rights. This Ordinance has been amended many times as, 1912, 1917, 1919, 1921, 1927, 1930, and 1945 and lastly as No 22 of 1955. But there is no provision for the welfare rights of laboratory animals. The Animal Welfare Bill which is to be gazetted discusses the welfare of animals used for scientific purposes. Section 42(1) states that "No person shall use live animals for teaching or research or experimentation unless such a person has obtained a permit for the said purpose from the authority".

According to section 42(2) in issuing a permit, the authority shall have regard, amongst other considerations that it considers relevant, to the availability of alternative methods and devices that do not involve experimentation on live animals, including computer simulations and other audio-visual methods, synthetically produced models, ethically sourced cadavers, and clinical experiences.

Regarding the statements of the Animal Welfare Bill, it appraises the legal aspects of using laboratory animals for scientific purposes but not about the welfare rights of laboratory animals used for scientific research. In addition, The Sri Lankan Association of Laboratory Animal Science has proposed a set of criteria expecting to ensure the humane use of animals in Sri Lanka for the advancement of science. In this guidance,

Section 3 of the guideline proposes that the primary consideration of the welfare of laboratory animals including the maintenance of physiological and psychological conditions as a

responsibility of the research team. But this is only a guideline that can be followed by a research team or not and not an essential consideration as it is not a law within the country. Globally, many countries have taken significant measures to ensure the welfare rights of Laboratory Animals. The USA has The Animal Welfare Act and Health Research Extension, to guarantee the proper treatment of animals while being used in such research. Australia has The Code of Practices for the Care and Use of Animals for Scientific Purposes to promote the ethical, humane, and responsible care and use of animals for scientific purposes. Sri Lanka still has low prominence towards the welfare rights of laboratory animals.

#### IV. CONCLUSION

Therefore, it is much evident that, in foreign jurisdictions, laws have been implemented to provide better standards to protect non-human animals used in laboratories.

Since Sri Lanka employs between 2000 and 3000 animals yearly for scientific research. Therefore, the lack of a higher standard of laws to protect animals in laboratory use is at a crucial time. Thus, it is recommended by this research that it is almost past time to implement new legislation in order to safeguard the welfare rights of animals used in laboratories.

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